**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

DATATREASURY CORPORATION, Plaintiff, v. WELLS FARGO & COMPANY et. al., Defendants.	Civil Action No. 2-06CV-72

**AFFIDAVIT OF DAVID A. ANDERSON IN SUPPORT OF
DEFENDANT UNIONBANCAL CORPORATION'S MOTION TO DISMISS**

BEFORE ME, the undersigned authority on this day personally appeared David A. Anderson, who, being duly sworn upon oath deposed and stated:

1. My name is David A. Anderson. I am over the age of 18, and am fully competent to make this Affidavit in all respects. I have personal knowledge of the facts stated herein and they are all true and correct.

2. I am the Executive Vice President & Controller at UnionBanCal Corporation ("UnionBanCal") and I make this declaration in support of Defendant UnionBanCal Corporation's Motion to Dismiss in the above captioned action.

3. UnionBanCal is a Delaware corporation with its principal and only place of business at 400 California Street, San Francisco, California.

4. UnionBanCal has no employees, but does have officers who all serve in that capacity in the State of California.

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5. UnionBanCal is a bank holding company, which exists primarily for the purpose of holding equity securities of its banking and non-banking subsidiaries and does not participate in any way in the imaging, exchange or settlement of checks or in any other retail banking operations.

6. UnionBanCal is not involved in the day-to-day management of any of its subsidiaries, including Union Bank of California, N.A.

7. UnionBanCal is not now and never has been an owner or user of Small Value Payments Co, LLC and/or The Clearing House Payments Company LLC.

8. UnionBanCal has never had a mailing address, telephone line or bank account in Texas, has never owned, rented, or leased any property in Texas, and has no officers or directors in Texas.

9. UnionBanCal does not have any employees, officers, agents, directors, or offices in Texas.

10. UnionBanCal has not and does not conduct any business in Texas and is not registered to do business in Texas.

"FURTHER, AFFIANT SAYETH NOT."

DAVID A. ANDERSON

Sworn to, subscribed and acknowledged before me on the 1st day of June, 2006 by DAVID A. ANDERSON.

Notary Public in and for the
State of California

CALIFORNIA JURAT WITH AFFIANT STATEMENT

State of California

County of San Francisco } ss.

[X] See Attached Document (Notary to cross out lines 1–6 below)
[ ] See Statement Below (Lines 1–5 to be completed only by document signer[s], *not* Notary)

1
2
3
4
5
6

Signature of Document Signer No. 1

Signature of Document Signer No. 2 (if any)

Subscribed and sworn to (or affirmed) before me on this 1st (Date) day of June (Month), 2006 (Year), by

(1) David A. Anderson, (Name of Signer)

[X] Personally known to me
[ ] Proved to me on the basis of satisfactory evidence to be the person who appeared before me (.) (,)

(and

(2) ______________________, (Name of Signer)

[ ] Personally known to me
[ ] Proved to me on the basis of satisfactory evidence to be the person who appeared before me.)

ROSE HENRY
Commission # 1569711
Notary Public - California
San Francisco County
My Comm. Expires Apr 16, 2009

Place Notary Seal Above

[signature] Signature of Notary Public

OPTIONAL

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Title or Type of Document: Affidavit of David A. Anderson in Support of Defendant UnionBanCal Corporation's Motion To Discuss

Document Date: June 1, 2006 Number of Pages: 2

Signer(s) Other Than Named Above: N/A

RIGHT THUMBPRINT OF SIGNER #1
Top of thumb here

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